



# DESIGNING LEGAL SERVICES

USER FRIENDLY

**T**he United States may have more attorneys per capita than other countries, but that does not mean their services are accessible to the average citizen. A rise in “do-it-yourself” and freelance lawyering suggests that, even if private attorneys were readily available, some people would consider hiring a lawyer too expensive or perhaps too complicated for the particular problem.

Concern over access to legal services has been mounting nationally ever since the American Bar Association sponsored a conference on the subject in 1989. That led the ABA to commission a comprehensive survey of legal needs. The results showed real gaps in services such as those related to personal property, consumer financial matters, and domestic and health issues.

The leadership of Maryland’s legal community has responded collectively to these concerns by launching the Access to Justice survey, which aims to gather data on gaps in the delivery of private legal services within the state, then design ways to fill them. In addition, leaders of Maryland’s two appellate

courts and two law schools have created the Pro Se Project to assist litigants representing themselves in domestic cases and make available forms they can use for several typical kinds of filings. In a recent *Daily Record* article, Robert Rhudy, executive director of the Maryland Legal Services Corporation, terms them “the most user friendly pro se forms yet developed for such purposes in the country.” Both collaborative projects involve the Maryland bar, University of Maryland School of Law and University of Baltimore School of Law as well as MICPEL.

## Measuring Access

In October 1994, the two law schools, Maryland State Bar Association and the state’s continuing legal education program announced plans for a telephone survey of 800 working poor and lower middle-income Marylanders, plus focus groups in several different areas of the state. The goals are to identify unmet legal needs, barriers to access and ways the private

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legal community can bridge the two. Leading this effort is Professor Michael Millemann, director of the Clinical Law Program for the University of Maryland School of Law, who observes, "The project is working better than I had expected and is, in my view, combining the best of legal education and public service."

A task force chaired by Herbert S. Garten '51 will analyze both the survey and focus group results and make recommendations for better service delivery. Noting that Maryland was in the forefront of efforts to survey and meet the legal needs of the poor, Garten says, "One of the greatest challenges facing the law today is providing affordable services for the working poor and lower middle class."

Maryland's response is attracting national attention according to Garten. "We are unique," says Garten, "in that for the first time all components have joined hands." The committee roster of more than two dozen involves faculty from both law schools, as well prominent attorneys, judges and representatives from the state's continuing education organization, MICPEL.

The group expects a report on the survey in March, according to Garten. They will then begin looking at ways to promote greater access by, for example, using technology more efficiently and "unbundling" legal services. Unbundling would allow people to contract with lawyers for some aspects of cases, but handle other aspects themselves. Garten expects the committee to break into smaller work groups; the two law schools will be important resources in carrying out the plans.



### Law Students Help Pro Se Litigants

The tradition of pro se (or self-represented) litigation is a longstanding one in the American judicial system. But crowded court dockets, the complexity of most bodies of law and the protracted nature of many legal proceedings often leave pro se litigants confused and unprepared to deal with myriad procedures and paperwork required for their due process.

With faculty supervision, students from the law schools of the University of Maryland and University of Baltimore now have office space in Maryland courthouses, and are assisting self-represented clients in how and when to file simplified pleadings that were designed by a bench/bar committee to provide quick access to justice. The students also refer pro se litigants to other legal services when needed. The project is funded through a grant provided by the Maryland legislature; pilot monies came from the courts and the jurisdictions where students are assigned.

Student attorneys are available three days a week (at least four hours a day) in

Anne Arundel, Baltimore and Montgomery counties as well as Baltimore City. All students received special training in domestic relations and family law, professional responsibility and the procedural rules in each of the courthouses. Pro se and legal advice hotlines operate two days a week for coverage when the students are not at the courthouse.

While serving Montgomery and Anne Arundel counties this semester, the University of Maryland School of Law students will switch next semester with University of Baltimore law students, who are working in Baltimore City and Baltimore County. In May, the two law schools will jointly report to the chief judges of Maryland's two appellate courts, making suggestions about how legal services should be delivered to domestic litigants in the future.

While the caseload will still be high, students in the pro se litigant project will be assisted by new video conferencing software that allows them to confer with faculty supervisors at their law schools while advising clients. Donated by Bell Atlantic, the package includes almost \$18,000 in computers, printers and software that provide document sharing, as well as special cameras located on top of each computer that allow for two-way, live action audio and video.

Nathalie Gilfrich '95, who is helping Millemann implement the project at the School of Law, says, "The response has been really positive. In Montgomery County we've had 10 to 20 people each day, in Anne Arundel fewer, but partly because it's a smaller county." People seem equally thankful for the pro se forms, available in courthouses statewide, and for the students' advice. "It's a complicated, often frustrating system," says Gilfrich. "We do everything we can to give them an answer."